

The amendment to claim 1 reflects the principal innovative feature of the file described in International application No. PCT/CZ98/00030, i.e. the fact that the working surface is directly formed from the same material and is an integral part of the body of the file. This feature distinguishes it from the other technical solutions cited and constitutes an inventive step qualifying the device for patent protection.

By contrast to this simple integral structure as indicated in amended Claim 1, the nail file described in US Patent No. 5,361,786 has a multi-bead glass surface attached to a substrate formed, for example, from silicone polymer. Likewise, the subject of Canadian Patent No. 2, 142,949 consists of a substrate of fibreglass material with diamond particles electroplated to the top surface thereof. US Patent No. 2,699,791 involves a device formed from coated abrasive sheets bonded to thin strips of sheet metal or wood. Compared to the structural complexity of these other inventions, the technological simplicity of the invention described in Application No. PCT/CA98/00030 results in reduced production costs. Further important characteristics resulting from this integral structure are the good functional features and the fact that the file is absolutely resistant to the environment in which it is used.

Reference will be made to the amended claims, in a revised version of the description, by insertion of the appropriate wording in the first paragraph of the Summary of the invention, on page 1 of the Application.

The structure of the file in question is not obvious to a person skilled in the art, and consequently involves an inventive step. In our opinion, the file according to International application No. PCT/CA98/00030 is simpler and therefore cheaper to produce than the current multi-layer nail files. Its present absence from the market is further indication that the structure of the file is not obvious.

Applicant respectfully requests that the preliminary amendment described herein be entered into the record prior to calculation of the filing fee and prior to examination and consideration of the above-identified application.

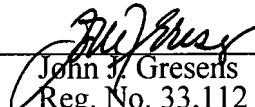
If a telephone conference would be helpful in resolving any issues concerning this communication, please contact Applicant's primary attorney-of record, Michael B. Lasky.

Respectfully submitted,

MERCHANT, GOULD, SMITH, EDELL,  
WELTER & SCHMIDT, P.A.  
3100 Norwest Center  
90 South 7th Street  
Minneapolis, MN 55402  
(612) 332-5300

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By: \_\_\_\_\_

  
John J. Gresens  
Reg. No. 33,112  
JJG/ssh

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